SUPREME COURT OF THE UNITED STATES

October Term, 1969

UNITED STATES *v.* OGLE

CERTIFIED APPEAL FROM THE UNTED ISTATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF INDIANA

No. 737. Decided March 16, 1970

PER CURIAM.

The judgment of the United States District Court for the Southern District of Indiana disinissing Count 1 of the indictment under 26 U. S. C. § 4742 (a) is reversed and the case is remanded to that court for trial on that count. *Minor* v. *United States*, 396 U. S. 87. The judgment of the same court dismissing Count 2 of the indictment under 26 U. S. C. § 4744 (a)(1) is affirmed.